

**NATIONAL INSTITUTES OF HEALTH**  
Deputy Ethics Counselors/Ethics Coordinators' Meeting  
Minutes – March 24, 2005

**Update on activities related to the new regulations**

The NIH Ethics Office (NEO) is actively involved in:

- Developing the list of significantly affected organizations. Next meeting is on 3/31/05.
- Developing 450 filing status policy.
- The process for managing divestiture and employee confirmation of divestiture.

Discussion centered on how to track employees who met the \$15,000 de-minimis requirement.

**Action:** NEO will explore the use of EMIS.

Exceptional circumstances will be considered on a case-by-case basis. The NEO will present case studies in the future for instructive purposes. The Office of General Counsel is working on submission procedures.

A case study regarding the acceptance of an outside award and how it was considered under the new regulations was discussed.

**Outside Activity Approvals - Clarification**

Continuing Medical Education (CME) activities and writing/editing for non-Top 5 staff can be approved at the IC level. Call the NEO when unsure.

Alumni association activities should be examined to see if the association can be considered a social organization. This may be likely when it is a separate legal entity than the University/College. The mission can be considered.

Expert witness: send requests to the NEO when the underlying client is a pharm/bio.

Outside activity approval ends one year from the approval date or the end of the activity. In no case does approval extend beyond one year from the date the activity is approved; or, if the activity is approved prior to the start date, the approval ends one year from commencement of the activity.

Section 5501.106(d)(2)(ii) was discussed which specifies that outside activities with political, social, religious, fraternal, and recreational organizations do not need prior written approval unless the employment requires professional services or is performed for compensation other than the reimbursement of expenses. A recommendation was made to clarify professional services for consistency.

3/29/05; 7:51pm